

## REMARKS

In accordance with the foregoing, claims 1-15 and 17-23 have been amended. Claims 16 and 24-26 have been cancelled. Claim 28 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-15, 17-23 and 28 are pending and under consideration. Reconsideration is respectfully requested.

### Non-Prior Art Rejections and Objections:

In the Office Action, at page 2, numbered paragraph 3, claims 2 and 8 were rejected under 35 U.S.C. § 112, second paragraph. Claim 2 has been amended to recite "judging whether another customer exists in such an area so that said other customer can attend said event" at lines 2-3 and it is submitted that claim 2 clearly recites the intended limitation. Withdrawal of the rejection is respectfully requested.

In addition, the numbered paragraph 3 cited the phrase "may be assigned" allegedly in claim 8 as rendering the claim indefinite. The phrase "may be assigned" has not been found in either claim 8 or any other pending claim and it is submitted that the rejection of claim 8 under the second paragraph of 35 U.S.C. § 112 is moot. Clarification is requested if the rejection is maintained.

The Examiner is respectfully requested to contact the undersigned in the event the Examiner wishes to maintain any rejections under the second paragraph of 35 U.S.C. § 112 to arrange an interview to discuss further amendments to the claims. In addition, the Examiner is requested to contact the undersigned before issuing an Office Action that would reject any claim under the second paragraph of 35 U.S.C. § 112 to allow a Supplemental Amendment to be filed which overcomes the rejections under the second paragraph of 35 U.S.C. § 112.

### Prior Art Rejections:

In the Office Action, at page 3, numbered paragraph 5, claims 1-4, 9-12, 17-20, 25 and 26 were rejected under 35 U.S.C. § 102 in view of Blants (U.S. Patent 6,732,080). At page 5, numbered paragraph 7 of the Office Action, claims 5, 13 and 21 were rejected under 35 U.S.C. § 103 as unpatentable over Blants. Numbered paragraph 8, on page 6 of the Office Action, rejected claims 6, 14 and 22 under 35 U.S.C. § 103 in view of Blants and Walker et al. (U.S. Patent 6,240,396). All rejections are traversed and reconsideration is requested.

Independent claims 1, 9 and 17 each recite "specifying a customer to whom an invitation to [an] event is to be sent, among the registered customers, based on at least a positional relationship between said customer and event" (e.g., claim 1, lines 4-6). Nothing has been cited or found in Blants and Walker et al., individually or in combination, that teaches or suggests what has been quoted above. Instead, Blants discloses "providing personal calendar services" (column 1, lines 62-63), which one skilled in the art would understand as coordinating events *scheduled in advance* and not "based on at least a positional relationship between said customer and event" (e.g., claim 1, lines 5-6). Moreover, Walker et al. discloses that a seller "can use the system of the present invention to browse offers and submit an electronic acceptance of a desirable offer" (column 8, lines 6-9), that is the buyer is specified by the seller *in advance* and not "based on at least a positional relationship between said customer and event" (e.g., claim 1, lines 5-6). Therefore, it is submitted that claims 1, 9 and 17, as well as claims 2-8, 10-16 and 18-23, are patentably distinguishable over Blants and Walker et al., individually or in combination.

In addition, dependent claims 4, 12 and 20 each recite "wherein ... acquiring ... specifying ... and ... sending ... operates ... to narrow said area gradually as said time up to one of said start time and said end time of said event becomes shorter" (e.g., claim 4, lines 2-5). Nothing has been found or cited in Blants and Walker et al., individually or in combination, that teaches or suggests this operation. Therefore, it is submitted that claims 4, 12 and 20 add further patentable distinctions over Blants and Walker et al., individually or in combination.

#### **New Claim:**

New claim 28 recites the structures of "a server ... a position detector ... and a terminal" at lines 2-8 and is supported by the specification in FIG. 1 and the description thereof on pages 5-9. Entry of new claim 28 is respectfully requested. Nothing has been cited in either Blants and Walker et al., individually or in combination, that discusses these structural elements of claim 28. In addition, claim 28 recites "a server determining whether a registered user can utilize a ticket for an event and when the registered user cannot utilize the ticket, determining another registered user to utilize the ticket in place of the registered user based on position information of the other registered user and location of the event" at lines 2-5. Nothing has been cited or found in Blants and Walker et al., individually or in combination, that teaches or suggests what is recited in claim 28. Instead, Blants discloses providing "personal calendar services" (column 1, lines 62-63), which one skilled in the art would understand as coordinating events *scheduled in advance* and not "based on position information of the other registered user and location of the

event" (e.g., claim 28, lines 4-5). Moreover, Walker et al. discloses that a seller "can use the system of the present invention to browse offers and submit an electronic acceptance of a desirable offer" (column 8, lines 6-9), that is the buyer is specified by the seller *in advance* and not "based on position information of the other registered user and the location of the event" (e.g., claim 28, lines 4-5). Therefore, it is submitted that claim 28 is patentably distinguishable over Blants and Walker et al., individually or in combination.

**Allowable Claims:**

In the Office Action, on page 7 at numbered paragraph 10, claims 7, 15 and 23 were cited as being allowable if rewritten in independent form. Claims 7, 15 and 23 have been so rewritten and withdrawal of the objection is respectfully requested.

**Summary:**

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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